

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

THE GREEN ROOM SOUL FOOD
STEAKHOUSE, LLC, et al.,

Plaintiffs,

v.

BRIAN MAUGHAN, et al.,

Defendants.

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Case No. CIV-20-1130-J

ORDER

Plaintiffs filed an action seeking declaratory and injunctive relief [Doc. No. 1] and then timely filed a notice of voluntary dismissal, dismissing Defendants Maughan, the Oklahoma Criminal Justice Authority, Everest, and Williams. [Doc. No. 20]; *see also* Fed. R. Civ. P. 41(a)(1)(A)(i). Plaintiffs state that Oklahoma County Commissioner Calvey, in his official capacity, and the Board of County Commissioners for the County of Oklahoma, remain as defendants. *See id.* However, the Supreme Court has long recognized that “official-capacity suits generally represent only another way of pleading an action against an entity of which an officer is an agent.” *Monell v. New York City Dep’t. of Soc. Servs.*, 436 U.S. 658, 690 n.55 (1978); *see also Kentucky v. Graham*, 473 U.S. 159, 166 (1985) (“[A]n official-capacity suit is, in all respects other than name, to be treated as a suit against the entity.”). Accordingly, the claims against Commissioner Calvey, in his official capacity, are duplicative of the claims against the Board of County Commissioners for the County of Oklahoma and are DISMISSED as redundant. *See Bush for Estate of Garland v. Bowling*, No. 19-CV-98-GKF-FHM, 2020 WL 3271928, at *2 (N.D. Okla. June 17, 2020) (dismissing claims against the county commissioners, in their official capacities,

as the claims were redundant to the claims against the Board of County Commissioners of Creek County).

Based on the foregoing, the Clerk of the Court shall amend the style to reflect the Board of County Commissioners for the County of Oklahoma as the sole Defendant.

IT IS SO ORDERED this 18th day of November, 2020.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE